

**SF-83 SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NESHAP for Miscellaneous Organic Chemical Manufacturing (40 CFR part 63, subpart FFFF) (Renewal)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Miscellaneous Organic Chemical Manufacturing (40 CFR part 63, subpart FFFF) (Renewal)

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for the regulations published at 40 CFR part 63, subpart FFFF, were proposed on April 4, 2002, and promulgated on November 10, 2003. These regulations apply to new and existing facilities that manufacture a miscellaneous organic chemical and are located at, or are part of, major sources of hazardous air pollutant (HAP) emissions. New facilities include those that commenced construction or reconstruction after the date of proposal. These regulations do not apply to the federal or state, local or tribal governments as reported in the previous Information Collection Request (ICR). This information is being collected to assure compliance with 40 CFR part 63 subpart FFFF.

In general, all NESHAP standards require initial notifications, performance tests, and periodic reports by the owners/operators of the affected facilities. They are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all affected facilities subject to NESHAP.

Based on our consultations with industry representatives, there is one affected facility at each plant site and that each plant site has only one respondent (i.e., the owner/operator of the plant site).

Over the next three years, an average of 257 respondents per year will be subject to the standard, including two additional respondents per year who will become subject to the standard.

The Office of Management and Budget (OMB) approved the currently active ICR without any Terms of Clearance.

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under Section 112 of the Clean Air Act (CAA) as amended, to establish standard of performance for each category or subcategory of major sources and area sources of hazardous air pollutants. These standards are applicable to new or existing sources of hazardous air pollutants and shall require the maximum degree of emission reduction. In addition, section 114(a) states that the Administrator may require any owner/operator subject to any requirement of this Act to:

(A) Establish and maintain such records; (B) make such reports; (C) install, use, and maintain such monitoring equipment, and use such audit procedures, or methods; (D) sample such emissions (in accordance with such procedures or methods, at such locations, at such intervals, during such periods, and in such manner as the Administrator shall prescribe); (E) keep records on control equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical; (F) submit compliance certifications in accordance with Section 114(a)(3); and (G) provide such other information as the Administrator may reasonably require.

In the Administrator's judgment, hazardous air pollutant emissions from the miscellaneous organic chemical manufacturing industry cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, NESHAP were promulgated for this source category at 40 CFR part 63, subpart FFFF.

2(b) Practical Utility/Users of the Data

The recordkeeping and reporting requirements in the standard ensures compliance with the applicable regulations which were promulgated in accordance with the Clean Air Act. The collected information is also used for targeting inspections and as evidence in legal proceedings.

Performance tests are required in order to determine an affected facility's initial capability to comply with the emission standard. Continuous emission monitors are used to ensure compliance with the standard at all times. During the performance test, a record of the operating parameters under which compliance was achieved may be recorded and used to determine compliance in place of a continuous emission monitor.

The notifications required in the standard are used to inform the Agency or delegated authority when a source becomes subject to the requirements of the regulations. The reviewing authority may then inspect the source to check if the pollution control devices are properly installed and operated and/or leaks are being detected and repaired and the standard is being met. The performance test may also be observed.

Performance test reports are needed because they are EPA's record of a source's initial capability to comply with the emission limitations and work practice standards, and they serve as a record of the operating conditions under which compliance was achieved.

The required semiannual reports are used to determine periods of excess emissions, identify problems at the facility, verify operation/maintenance procedures and for compliance determinations.

The precompliance reports and emissions averaging plans are necessary to ensure that the emission limitations, which are based on maximum achievable control technology (MACT) for miscellaneous organic chemical manufacturing facilities, will be achieved.

3. Nonduplication, Consultations, and Other Collection Criteria

The requested recordkeeping and reporting are required under 40 CFR part 63, subpart FFFF.

3(a) Nonduplication

If the subject standards have not been delegated, the information is sent directly to the appropriate EPA regional office. Otherwise, the information is sent directly to the delegated state or local agency. If a state or local agency has adopted its own similar standards to implement the Federal standards, a copy of the report submitted to the state or local agency can be sent to the Administrator in lieu of the report required by the Federal standards. Therefore, no duplication exists.

3(b) Public Notice Required Prior to ICR Submission to OMB

An announcement of a public comment period for the renewal of this ICR was published in the Federal Register (71 FR 35652) on June 21, 2006. No comments were received on the burden published in the Federal Register.

3(c) Consultations

Consultations with industry representatives (i.e., respondents) were conducted to verify the current number of facilities, industry growth rate and the level of electronic reporting. Leslie Hulse, of the American Chemistry Council, at 703-741-5165 and Jeff Gunnulfsen of the Synthetic Organic Chemical Manufacturer's Association, at 703-721-4198 were consulted.

3(d) Effects of Less Frequent Collection

Less frequent information collection would decrease the margin of assurance that facilities are continuing to meet the standards. Requirements for information gathering and recordkeeping are useful techniques to ensure that good operation and maintenance practices are applied and emission limitations are met. If the information required by these standards was collected less frequently, the proper operation and maintenance of control equipment and the possibility of detecting violations would be less likely.

3(e) General Guidelines

These reporting or recordkeeping requirements do not violate any of the regulations promulgated by OMB under 5 CFR part 1320, section 1320.5.

These standards require the respondents to maintain all records, including reports and notifications for at least five years. This is consistent with the General Provisions as applied to the standards. EPA believes that the five year records retention requirement is consistent with the part 70 permit program and the five year statute of limitations on which the permit program is based. The retention of records for five years allows EPA to establish the compliance history of a source and any pattern of non-compliance and to determine the appropriate level of enforcement action. EPA has found that the most flagrant violators have violations extending beyond five years. In addition, EPA would be prevented from pursuing the violators due to the destruction or nonexistence of essential records.

3(f) Confidentiality

Any information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, chapter 1, part 2, subpart B - Confidentiality of Business Information (CBI) (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 40000, September 8, 1978; 43 FR 42251, September 20, 1978; 44 FR 17674, March 23, 1979).

3(g) Sensitive Questions

The reporting or recordkeeping requirements in the standard do not include sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

Respondents are owners or operators of any facilities that engage in the manufacture of miscellaneous organic chemicals and are classified as major sources under section 112 of the CAA. The following table lists the primary United States Standard Industrial Classification (SIC) and North American Industry Classification System (NAICS) codes used to classify the respondents affected by the miscellaneous organic chemical manufacturing NESHAP. Not all processes classified in the SIC or NAICS codes in the table below will be regulated by the miscellaneous organic chemical manufacturing NESHAP (i.e., they will not be regulated if they are already subject to another NESHAP).

SIC Code and Description	NAICS Code and Description
282–Plastics Materials and Synthetic Resins, Synthetic Rubber, Synthetic and Other Man-Made Fibers, Except Glass	3252–Resin, Synthetic Rubber, and Artificial and Synthetic Fibers and Filaments Manufacturing
283–Drugs	3254–Pharmaceutical and Medicine Manufacturing
284–Soap, Detergents, and Cleaning Preparations, Perfumes, Cosmetics, and Other Toilet Preparations	3256–Soap, Cleaning Compound, and Toilet Preparation Manufacturing
285–Paints, Varnishes, Lacquers, Enamels, and Allied Products	3255–Paint, Coating, and Adhesive Manufacturing
286–Industrial Organic Chemicals	3251–Basic Chemical Manufacturing (Does not include 325131–Inorganic Dye and Pigment Manufacturing or 325181–Alkalis and Chlorine Manufacturing)
287–Agricultural Chemicals	3253–Pesticide, Fertilizer, and Other Agricultural Chemical Manufacturing
289–Miscellaneous Chemical Products and 386–Photographic Equipment and Supplies	3259–Other Chemical Product and Preparation Manufacturing

4(b) Information Requested

(i) Data Items

In this ICR, all the data that is recorded or reported is required by the NESHAP for Miscellaneous Organic Chemical Manufacturing (40 CFR part 63, subpart FFFF)

A source must make the following reports:

REQUIREMENTS	REGULATION REFERENCE
Initial notifications (including construction/reconstruction)	63.5, 63.9(b), and 63.2515(a)-(c)
Notification of performance test, test plan, and emission profile	63.7(b)-(c), 63.9(e), and 63.2515(a),(d)
Notification of CMS performance evaluation	63.8(e)(2) and 63.9(g)
Notification of compliance status (including performance test results)	63.9(h), 63.10(d)(2), and 63.2515(e)
Notification of process change	63.2515(f)
Emissions averaging plan	63.2500(c)

REQUIREMENTS	REGULATION REFERENCE
Precompliance report	63.2520(c)
Semi-annual compliance report	63.10(e)(3) and 63.2520(b), (d)

A source must keep the following records:

REQUIREMENTS	REGULATION REFERENCE
Record retention	63.10(b)(1) and 63.2530
Documentation supporting initial notifications and notifications of compliance status	63.10(b)(2)(xiv) and 63.2525(a)(1)
Startup, shutdown, and malfunction plan	63.6(e)(3)
Records related to startup, shutdown, and malfunction	63.6(e)(3)(iii)-(iv) and 63.2525(a)(2)
Records of performance tests and CMS performance evaluations	63.10(b)(2)(viii) and 63.2525(a)(3)
Records for equipment leaks	63.1038(b)-(c) and 63.2525(a)(4)
Daily schedule or log of each operating scenario	63.2525(a)(5)
Records for batch processes complying with process-based emission limitations	63.2525(a)(6)-(7)
Planned routine maintenance records for storage tank control devices	63.2525(a)(8)
Maintenance wastewater plan	63.2525(a)(9)
Records for safety device openings	63.2525(a)(10)
Results of each CMS calibration, validation check, and inspection	63.2475(c)(6)-(8), (d)(4)-(5), (e)(4)-(7), (f)(3)-(4), 63.2525(a)(11)
Records for emissions averaging	63.2500(d)
Records for each CMS	63.8(d)(3), 63.8(f)(6)(i), 63.10(b)(2)(vi)-(xi), and 63.2525(b)

(ii) Respondent Activities

RESPONDENT ACTIVITIES
Read instructions.
Install, calibrate, maintain, and operate CPMS for the appropriate control device.
Perform initial performance test and repeat performance tests if necessary.
Write the notifications and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for the purpose of processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for the purpose of disclosing and providing information.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

Electronic Reporting

Some of the respondents are using monitoring equipment that automatically records parameter data. Although personnel at the affected facility must still evaluate the data, internal automation has significantly reduced the burden associated with monitoring and recordkeeping at a plant site.

Also, regulatory agencies in cooperation with the respondents continue to create reporting systems to transmit data electronically. However, electronic reporting systems are still not widely used. At this time, it is estimated that approximately 20 percent of the respondents use electronic reporting.

5. The Information Collected: Agency Activities, Collection Methodology, and Information Management

5(a) Agency Activities

EPA conducts the following activities in connection with the acquisition, analysis, storage, and distribution of the required information.

AGENCY ACTIVITIES
Observe initial performance tests and repeat performance tests if necessary.
Review notifications and reports, including performance test reports, and excess emissions reports, required to be submitted by industry.
Audit facility records.

AGENCY ACTIVITIES

Input, analyze, and maintain data in the Air Facility System (AFS).

5(b) Collection Methodology and Management

Following notification of startup, the reviewing authority could inspect the source to determine whether the pollution control devices are properly installed and operated. Performance test reports are used by the Agency to discern a source's initial capability to comply with the emission standard. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The semiannual reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

Information contained in the reports is entered into the AFS which is operated and maintained by EPA's Office of Compliance. AFS is EPA's database for the collection, maintenance, and retrieval of compliance data for approximately 125,000 industrial and government-owned facilities. EPA uses the AFS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices and EPA headquarters. EPA and its delegated Authorities can edit, store, retrieve and analyze the data.

The records required by this regulation must be retained by the owner/operator for five years.

5(c) Small Entity Flexibility

A majority of the respondents are large entities (i.e., large businesses). However, the impact on small entities (i.e., small businesses) was taken into consideration during the development of the regulation. Due to technical considerations involving the process operations and the types of control equipment employed, the recordkeeping and reporting requirements are the same for both small and large entities. The Agency considers these to be the minimum requirements needed to ensure compliance and, therefore, cannot reduce them further for small entities. To the extent that larger businesses can use economies of scale to reduce their burden, the overall burden will be reduced.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown in Table 1: Annual Respondent Burden and Cost – NESHAP for Miscellaneous Organic Chemical Manufacturing (40 CFR part 63, subpart FFFF), attached.

6. Estimating the Burden and Cost of the Collection

Table 1 documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to the industry for the subpart included in this ICR. The individual burdens are expressed under standardized headings believed to be consistent with the

concept of burden under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory.

The Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

6(a) Estimating Respondent Burden

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated to be 416,830 hours. These hours are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the NESHAP program, the previously approved ICR, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates:

Managerial	\$100.99 (\$48.09 + 110%)
Technical	\$87.97 (\$41.89 + 110%)
Clerical	\$43.81 (\$20.86 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, December, 2005, "Table 2. Civilian Workers, by occupational and industry group." The rates are from column 1, "Total compensation." The rates have been increased by 110% to account for the benefit packages available to those employed by private industry.

(ii) Estimating Capital/Startup and Operation and Maintenance Costs

The type of industry costs associated with the information collection activities in the subject standards are both labor costs, which are addressed elsewhere in this ICR, and the costs associated with continuous monitoring. The capital/startup costs are one time costs that occur when a facility becomes subject to the regulation. The annual operation and maintenance costs are the ongoing costs to maintain the monitors and other costs such as photocopying and postage.

(iii) Capital/Startup vs. Operation and Maintenance (O&M) Costs

Capital/Startup for Monitoring Equipment					
	(A) Capital Cost / Respondent	(B) Annualized Capital Cost/ Respondent	(C) New Respondent/Yr	(D) Existing Respondents/Yr	(E) Annualized Capital Cost =-- (C+D)*B
Year 1	\$17,174	\$2,573	2	253	\$656,115
Year 2	\$17,174	\$2,573	2	255	\$661,261
Year 3	\$17,174	\$2,573	2	257	\$666,407
Average (Years 1-3)					\$661,261

A one-time capital cost can be estimated over multiple years by annualizing the cost using an OMB-approved interest rate. For this Supporting Statement, capital costs were annualized over 15 years, assuming an interest rate of 7 percent. In most cases, administrative charges, insurance, and property taxes were also included with the annualized capital costs, at 4 percent of the capital cost.

The capital costs associated with monitoring equipment include the monitoring equipment, installation, ancillary costs (planning and selection), and a data acquisition system (DAS) (data logger, computer, logging and reporting software, and printer). The capital costs for the monitoring equipment were estimated based on the following assumptions: (1) the monitoring equipment cost per process vent is \$12,150, which includes the cost for thermocouple, wire, and DAS; (2) the monitoring equipment cost for each facility with wastewater systems is \$20,100, which includes the cost for steam flow meter, liquid flow meter, thermocouple, wire, and DAS; (3) the monitoring equipment cost for each storage tank with separate emission controls is \$780, which includes the cost for thermocouple and wire to connect to the DAS for process vents; and (4) two new facilities will purchase this equipment for process vents, wastewater systems, and storage tanks in each of the three years covered by this ICR. As established in the previous ICR, the monitoring equipment costs were applied to the impacted process vents, wastewater systems, and storage tanks to determine an average capital cost per facility for monitoring equipment. In this way, the average capital cost per facility was estimated to be \$17,174. The average annualized capital cost per facility for monitoring equipment was estimated to be \$2,573.

The capital costs associated with file cabinets for storing collected data and reports include the purchase of one standard four-drawer file cabinet for each facility (assume \$235 per file cabinet). An estimated two new facilities will purchase this equipment in each of the three years covered by this ICR. The average annualized capital cost per facility for file cabinets is \$35.

Capital/Startup for File Equipment					
	(A) Capital Cost/ Respondent	(B) Annualized Capital Cost/ Respondent	(C) New Respondents/ Yr	(D) Existing Respondents/Yr	(E) Annualized Capital Cost = (C+D)*B
Year 1	\$235	\$35	2	253	\$8,925
Year 2	\$235	\$35	2	255	\$8,995
Year 3	\$235	\$35	2	257	\$9,065
Average					\$8,995

Operation and maintenance costs include those costs associated with the general upkeep of capital equipment, such as monitoring equipment. Those costs would include maintenance materials and supplies. Maintenance materials and supplies were estimated at \$500. The O&M cost associated with the monitoring equipment is \$15,875 for process vents, \$20,510 for wastewater systems, and \$5,825 for storage tanks. As established in the previous ICR, the O&M costs were applied to the impacted process vents, wastewater systems, and storage tanks to determine an average capital cost per facility O&M. In this way, the average O&M cost per facility for monitoring equipment was estimated to be \$21,209.

Operation and Maintenance Costs				
	(A) O&M Cost/Respondent	(B) New Respondents / Yr	(C) Exiting Respondents/Yr	(D) O&M Cost = (B+C)*A
Year 1	\$21,209	2	255	\$5,408,322
Year 2	\$21,209	2	257	\$5,450,740
Year 3	\$21,209	2	259	\$5,493,159
Average				\$5,450,740

Operation and maintenance costs also include the costs associated with the paperwork requirement incurred continuously over the life of the ICR. For example, the O&M costs for rules that require respondents to submit reports to EPA and maintain records should be estimated as costs for photocopying and postage. Photocopying costs per response were estimated at 0.5 hour of clerical labor at a wage rate of \$28.14/hr. First class postage was estimated at \$7.63 per response for mailing to regulatory agencies. Photocopying and postage costs will be applied to the 549 reports submitted to EPA by the respondents, for a total of \$11,913. (The number of reports was determined by adding the number of reports submitted to EPA by respondents, as shown in Table 3).

The total average annualized capital/startup costs for this ICR are \$670,256. This is the total of Average Annual cost for column E in the above tables.

The total operation and maintenance (O&M) costs for this ICR are \$5,462,653. This is the total of column D, above and Column H of Table 3, attached.

The average annual cost for capital/startup and operation and maintenance costs to industry over the next three years of the ICR is estimated to be \$6,132,909.

6(c) Estimating Agency Burden and Cost

The only costs to the Agency are those costs associated with analysis of the reported information. EPA's overall compliance and enforcement program includes activities such as the examination of records maintained by the respondents, periodic inspection of sources of emissions, and the publication and distribution of collected information.

The average annual Agency cost during the three years of the ICR is estimated to be \$342,856 (see Table 2, attached).

This cost is based on the average hourly labor rate as follows:

Managerial	\$57.20	(GS-13, Step 5, \$35.75 x 1.6)
Technical	\$42.45	(GS-12, Step 1, \$26.53 x 1.6)
Clerical	\$22.96	(GS-6, Step 3, \$14.35 x 1.6)

These rates are from the Office of Personnel Management (OPM) "2006 General Schedule" which excludes locality rates of pay. Details upon which this estimate is based appear in Table 2: Annual Burden and Cost for the Federal Government – NESHAP for Miscellaneous Organic Chemical Manufacturing (40 CFR part 63, subpart FFFF), attached.

6(d) Estimating the Respondent Universe and Total Burden and Costs

Based on our research for this ICR, on average over the next three years, approximately 257 existing respondents will be subject to the standard. It is estimated that an additional 2 respondents per year will become subject. The number of respondents is calculated using the following table that addresses the three years covered by this ICR.

NUMBER OF RESPONDENTS					
	RESPONDENTS THAT SUBMIT REPORTS		RESPONDENTS THAT DO NOT SUBMIT ANY REPORTS		
YEAR	(A) NUMBER OF NEW RESPONDENTS ¹	(B) NUMBER OF EXISTING RESPONDENTS	(C) NUMBER OF EXISTING RESPONDENTS THAT KEEP RECORDS BUT DO NOT SUBMIT REPORTS	(D) NUMBER OF EXISTING RESPONDENTS THAT ARE ALSO NEW RESPONDENTS	(E) NUMBER OF RESPONDENTS (E=A+B+C-D)
1	2	253	0	0	255
2	2	255	0	0	257
3	2	257	0	0	259
Average					257

¹ New respondents include sources with constructed or reconstructed affected facilities.

Column D is subtracted to avoid double-counting respondents. As shown above, the average Number of Respondents over the three year period of this ICR is 257.

The total number of annual responses per year is calculated using the following table:

TOTAL ANNUAL RESPONSES				
(A) INFORMATION COLLECTION ACTIVITY	(B) NUMBER OF RESPONDENTS	(C) NUMBER OF RESPONSES	(D) NUMBER OF EXISTING RESPONDENTS THAT KEEP RECORDS BUT DO NOT SUBMIT REPORTS	(E) TOTAL ANNUAL RESPONSES (E=(BXC)+D)
a. Read rule and instructions	2	1	0	2
b. Required Activities				
i. Initial Performance Test				
process vents	2	1	0	2
ii. Initial Performance Test				
Wastewater	2	1	0	2
iii. Initial CMS performance				
Evaluation	0	1	0	0
iv. Repeat Performance Test	2	1	0	2
c. Create Information	Included in 3e			
d. Gather existing Information	Included in 3e			
e. Write Reports				
i. Notification of Construction/ Reconstruction	2	1	0	2

TOTAL ANNUAL RESPONSES				
(A) INFORMATION COLLECTION ACTIVITY	(B) NUMBER OF RESPONDENTS	(C) NUMBER OF RESPONSES	(D) NUMBER OF EXISTING RESPONDENTS THAT KEEP RECORDS BUT DO NOT SUBMIT REPORTS	(E) TOTAL ANNUAL RESPONSES E=(BXC) +D
ii. Notification of Actual Startup	2	1	0	2
iii. Initial Notification	2	1	0	2
iv. Emissions Averaging Plan	0	1	0	0
v. Precompliance Report	1	1	0	1
vii. Performance Test Notification	2	1	0	2
viii. Notification of Initial CMS performance evaluation	0	1	0	0
ix. Notification of Compliance Status				
a. With performance test	2	1	0	2
b. W/o performance test	0	1	0	0
x. Notification of Physical/ Operational Change	26	1	0	26
xi. Semi-annual Summary Report				
a. No Deviations	231	2	0	462
b. Deviations	26	2	0	52
c. SS&M Report	257	2	0	514
d. LDAR Report	257	2	0	514
e. Emission Averaging Report	26	2	0	52
Total Number of Annual Responses				1639

The number of Total Annual Responses is 1639.

6(e) Bottom Line Burden Hours Burden Hours and Cost Tables

The detailed bottom line burden hours and cost calculations for the respondents and the Agency are shown in Tables 1 and 2, respectively, and summarized below.

(i) Respondent Tally

The Total Hours Requested is 416,830. The Total Annual Labor Costs are \$35,303,884. Details regarding these estimates may be found in Table 1: Annual Respondent Burden and Cost – NESHAP for Miscellaneous Organic Chemical Manufacturing (40 CFR part 63, subpart FFFF), attached.

The total annual capital/startup and O&M costs to the regulated entities are \$6,132,909.

(ii) The Agency Tally

The average annual Agency burden and cost over next three years is estimated to be 8,282 labor hours at a cost of \$342,856. See Table 2: Annual Burden and Cost for the Federal Government – NESHP for Miscellaneous Organic Chemical Manufacturing (40 CFR part 63, subpart FFFF), attached.

6(f) Reasons for Change in Burden

The increase in burden from the most recently approved ICR is primarily due to the fact that this is the first ICR prepared after the compliance date. In the previous ICR, annual burden hours and costs associated with one-time activities were phased in over the course of the 3-year period.

In this ICR, existing sources have been phased into compliance and are subject to on-going requirements, and new sources are subject to various one-time activities. To ease the preparation of future renewals, the tables for one-time activities and on-going activities were consolidated. In addition to this change, the following changes were made:

1. The burden associated with the requirement for Notification of Anticipated Startup was deleted as there is no requirement for this notification in this ICR and was included in error in the previous ICR.
2. Costs for attending performance tests, repeat performance tests, and CMS evaluations for EPA personnel were deleted as these are not consistent with the concept of burden.
3. Capital costs for performing performance tests were deleted, as this is not consistent with the concept of capital costs.
4. There is slight variation in Table 2 of this ICR from Table 2 in Attachment 4 of the previous ICR for columns B, E, and H under item 10 (i), (ii) and (v) due to rounding.
5. Labor rates for technical, clerical and managerial for both Tables 1 and 2 were updated to reflect the most current numbers.
6. The affected entities were changed from business, federal government, and state, local or tribal government to just business, as this rule only affects business.

Capital/Startup vs. Operation and Maintenance (O&M) Costs as calculated in section 6(b)(iii), compared with the costs in the previous ICR have increased, due to the increase in the overall number of sources from the previous ICR, and the fact that all sources now have been phased in and have recurring annualized capital and O&M costs.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information

is estimated to average 254 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB Control Number. The OMB Control Numbers for EPA's regulations are listed at 40 CFR part 9 and 48 CFR chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OECA-2006-0452 which is available for online viewing at www.regulations.gov, or in person viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Avenue, NW, Washington, D.C. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Enforcement and Compliance Docket and Information Center is (202) 566-1972. An electronic version of the public docket is available at <http://www.regulations.gov>. This site can be used to view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OECA-2006-0452 and OMB Control Number 2060-0533 in any correspondence.

Part B of the Supporting Statement

This part is not applicable because no statistical methods were used in collecting this information.

Table 1 - Annual Respondent Burden and Cost - NESHAP for Miscellaneous Organic Chemical Manufacturing
40 CFR Part 63, Subpart FFFF

Burden Item ^(a)	(A) Person Hours per occurrence	(B) Annual Occurrence Per Respondent	(C) Annual Person Hours per Respondent	(D) Total Number of Respondents ^(b)	(E) Technical Hours per year	(F) Manageria I Hours Per year	(G) Clerical Hours per year	(H) Total Annual Cost
1. Applications	N/A							
2. Surveys and Studies	N/A							
3. Reporting Requirements								
a. Read rule and instructions ^(c)	1	1	1	2	2	0.1	0.2	195
b. Required Activities								
i. Initial Performance Test - process vents	480	1	480	2	960	48	96	93,504
ii. Initial Performance Test - wastewater	160	1	160	2	320	16	32	31,168
iii. Initial CMS performance evaluation ^(d)	10	1	10	0	0	0	0	0
iv. Repeat Performance Test	20	1	20	2	40	2	4	3,896
c. Create Information	Included in 3e							
d. Gather existing Information	Included in 3e							
e. Write Reports								
i. Notification of Construction/ Reconstruction	2	1	2	2	4	0.2	0.4	390
ii. Notification of Actual Startup	2	1	2	2	4	0.2	0.4	390
iii. Initial Notification	2	1	2	2	4	0.2	0.4	390
iv. Emissions Averaging Plan ^(e)	40	1	40	0	0	0	0	0
v. Precompliance Report ^(f)	40	1	40	1	40	2	4	3,896
vii. Performance Test Notification ^(g)	2	1	2	2	4	0.2	0.4	390
viii. Notification of Initial CMS performance evaluation	2	1	2	0	0	0	0	0
ix. Notification of Compliance Status								
a. With performance test ^(g)	80	1	80	2	160	8	16	15,584
b. W/O performance test ^(h)	120	1	120	0	0	0	0	0
x. Notification of Physical/ Operational Change ⁽ⁱ⁾	8	1	8	26	208	10.4	20.8	20,259

xi. Semiannual Summary									
Report									
a. No Deviations ^(l)	8	2	16	231	3696	184.8	369.6	359,992	
b. Deviations ^(l)	24	2	48	26	1248	62.4	124.8	121,556	
c. SS&M Report ^(k)	8	2	16	257	4112	205.6	411.2	400,511	
d. LDAR Report ^(l)	404	2	808	257	207656	10382.8	20765.6	20,225,798	
e. Emission Averaging									
Report ^(m)	20	2	40	26	1040	52	104	101,297	
Subtotal Reporting							252,423	\$21,379,216	
4. Recordkeeping Requirements									
a. Read rule and instructions	Included in 3e								
b. Plan Activities	N/A								
c. Implement Activities	N/A								
d. Develop Record System ⁽ⁿ⁾	40	1	40	2	80	4	8	7,792	
e. Develop SS&M Plan ^(o)	100	1	100	2	200	10	20	19,480	
f. Develop QA/QC Plan for CMS ^(p)	40	1	40	0	0	0	0	0	
g. Time to train personnel ^(q)	40	1	40	2	80	4	8	7,792	
h. Time to retrain/refresh personnel ^(r)	16	1	16	255	4080	204	408	397,394	
i. Time to enter information									
i. Records of SS&M	1.5	52	78	257	20046	1002.3	2004.6	1,952,490	
ii. Records of CMS data									
a. Record of Continuously									
Monitored Parameters ^(s)	1	365	365	257	93805	4690.25	9380.5	9,136,654	
b. Compile Data ^(s)	24	2	48	257	12336	616.8	1233.6	1,201,533	
c. Enter/verify Information									
for Semi-annual report ^(s)	16	2	32	257	8224	411.2	822.4	801,022	
d. LDAR	Included in 3e								
j. Calibration of CMS ^(t)	16	1	16	257	4112	205.6	411.2	400,511	
Subtotal recordkeeping							164,407	\$13,924,668	
Total Hours and Cost							416,830	\$35,303,884	

- ^(a) See Section 4(b)ii of the Supporting Statement for respondent activities.
- ^(b) There are an estimated average of 255 existing major source facilities subject to the NESHAP. Assuming 2 percent growth over 3 years, 2 new facilities will be built each year.
- ^(c) This will occur only in the first year after a facility becomes subject to the rule.
- ^(d) Person-hours per occurrence are based on the performance specification costs to certify CMS (\$500) divided by the composite hourly labor rate. No performance evaluations are required for the parameter monitoring systems included in the rule. Assumes no facilities will use the alternative standard, which requires CEMS and performance evaluations.
- ^(e) Assumes 10 percent of existing facilities will comply with emissions averaging requirements; new facilities are not allowed to use emissions averaging.
- ^(f) Assumes 50 percent of new facilities will submit a precompliance report.
- ^(g) Assumes 90 percent of facilities will comply by conducting a performance test(s).
The notification of compliance status includes the report of the performance test(s).
- ^(h) Assumes 10 percent of facilities will comply by submitting engineering calculations, design calculations, etc. with no performance tests. The notification of compliance status includes those calculations.
- ⁽ⁱ⁾ Assumes 10 percent of facilities will implement process changes
- ^(j) Assumes 90 percent of facilities will have no deviations, 10 percent will have deviations
- ^(k) Assumes all facilities will report actions taken during startup, shutdown, or malfunction that are consistent with the SS&M plan
- ^(l) According to EPA guidance, annual recordkeeping and reporting costs for LDAR programs are estimated to be 40 percent of monitoring and repair labor, which averages \$51,681 per facility, or \$20,672 per facility ($40 \times 51,681 = 20,672$) Person hours per occurrence are based on this cost divided by the composite hourly labor rate.
- ^(m) Assumes 10 percent of existing facilities will comply with emissions averaging requirements; new facilities are not allowed to use emissions averaging.
- ⁽ⁿ⁾ Assumes 40 hours to develop a record system for recording parameter monitoring information.
- ^(o) Assumes 80 hours to draft the startup, shutdown, and malfunction plan and another 20 hours of review/revisions, for a total of 100 hours.
- ^(p) Assumes 40 hours to develop and review the QA/QC plan for the CMS.
No QA/QC plan is required for the parameter monitoring systems included in the rule. Assumes no facilities will use the alternative standard, which requires CEMS and QA/QC plans.
- ^(q) Assumes 40 hours to train personnel.
- ^(r) Assumes 2 days (16 hours) to provide refresher training for personnel.
- ^(s) Includes process vent, storage tank, and wastewater monitoring and inspections
- ^(t) Assumes calibration of CMS will require 8 hours per year for each monitor. Assuming a total of 2 CMS for each facility, a total of 16 hours per year per facility is required.

Burden Item	(A) Person Hours per occurrence	(B) Annual Occurrence Per Respondent	(C) Annual Person Hours per Respondent	(D) Total Number of Respondents (a)	(E) Technical Hours per year	(F) Manageria l Hours Per year	(G) Clerical Hours per year	(H) Total Annual Cost
1. Review Notification of Construction/Reconstruction	2	1	2	2	4	0.2	0.4	\$190
2. Review Notification of Actual Startup	1	1	1	2	2	0.1	0.2	\$95
3. Review Initial Notification	2	1	2	2	4	0.2	0.4	\$190
4. Review Emissions Averaging Plan (b)	20	1	20	0	0	0	0	\$0
5. Review Precompliance Report (c)	4	1	4	1	4	0.2	0.4	\$190
6. Review Notification of Initial Performance Test	2	1	2	2	4	0.2	0.4	\$190
7. Review Notification of Initial CMS Demonstration	2	1	2	0	0	0	0	\$0
8. Review Notifications of Compliance Status Report								
i. With Performance Test (d)	40	1	40	2	80	4	8	\$3,808
ii. Without Performance Test (e)	40	0	0	0	0	0	0	\$0
9. Review Notification Physical/ Operational change (f)	8	1	8	26	208	10.4	20.8	\$9,902
10. Review semiannual summary report								
i. No Deviations (g)	2	2	4	231	924	46.2	92.4	\$43,988
ii. Deviations (g)	8	2	16	26	416	20.8	41.6	\$19,804
iii. SS&M Report (h)	2	2	4	257	1028	51.4	102.8	\$48,939
iv. LDAR Report (i)	8	2	16	257	4112	205.6	411.2	\$195,756
v. Emission Averaging Report (b)	8	2	16	26	416	20.8	41.6	\$19,804
Total								\$342,856
Subtotal Hours					7,202	360	720	
Total Hours							8,282	

(a) There are an estimated 257 existing major source facilities subject to the NESHAP. Assuming 2 percent growth over 3 years, 2 new facilities will be built each year.

(b) Assumes 10 percent of existing facilities will comply with emissions averaging requirements;

new facilities are not allowed to use emissions averaging.

- (c) Assumes 50 percent of new facilities will submit a precompliance report.
- (d) Assumes 90 percent of facilities will comply by conducting a performance test(s).
The notification of compliance status includes the report of the performance test(s).
- (e) Assumes 10 percent of facilities will comply by submitting engineering calculations, design calculations, etc. with no performance tests. The notification of compliance status includes those calculations.
- (f) Assumes 10 percent of facilities will implement process changes
- (g) Assumes 90 percent of facilities will have no deviations, 10 percent will have deviations
- (h) Assumes all facilities will report actions taken during startup, shutdown, or malfunction that are consistent with the SS&M plan
- (i) Assumes all facilities will report the specified information for processes subject to the equipment leak standards.

